



February 8, 2005

SENATE BILL No. 138

DIGEST OF SB 138 (Updated February 4, 2005 10:32 am - DI jhm)

Citations Affected: IC 20-12.

Synopsis: Provisions for real estate purchase or lease by state colleges and universities. Increases from \$100,000 to \$200,000 the amount that a state college or university can pay to purchase or lease-purchase real estate without having the project reviewed by the commission for higher education and the budget committee and approved by the governor. Increases from \$50,000 to \$100,000 the amount that a state college or university can pay to lease real estate without having the project reviewed by the commission for higher education and the budget committee and approved by the governor.

Effective: July 1, 2005.

Meeks

January 4, 2005, read first time and referred to Committee on Rules and Legislative Procedure.

February 7, 2005, amended; reassigned to Committee on Appropriations.

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SB 138—LS 6717/DI 13+



February 8, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 138

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-12-5.5-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) In addition to
3 projects authorized by the general assembly, the trustees of each higher
4 education institution may engage in any of the following projects so
5 long as there are funds available for the project and the project meets
6 any of the applicable conditions:

7 (1) Each project to construct buildings or facilities of a cost
8 greater than two hundred thousand dollars (\$200,000), or to
9 purchase or lease-purchase land, buildings, or facilities the
10 principal value of which exceeds ~~one~~ **two** hundred thousand
11 dollars ~~(\$100,000)~~, **(\$200,000)**, must be reviewed by the
12 commission for higher education and approved by the governor
13 upon recommendation of the budget agency. If any part of the cost
14 of the project as specified in section 3 of this chapter is paid by
15 state appropriated funds or by mandatory student fees assessed all
16 students and if the project is to construct buildings or facilities of
17 a cost greater than five hundred thousand dollars (\$500,000), or

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to purchase or lease-purchase land, buildings, or facilities the principal value of which exceeds three hundred thousand dollars (\$300,000), the project must also be approved by the general assembly. Nothing herein limits the trustees in supplementing projects approved by the general assembly from gifts or other available funds so long as approval for the expansion of projects is given by the governor on review by the commission for higher education and recommendation of the budget agency.

(2) Each repair and rehabilitation project must be reviewed by the commission for higher education and approved by the governor, on recommendation of the budget agency, if the cost of the project exceeds five hundred thousand dollars (\$500,000) and if any part of the cost of the project is paid by state appropriated funds or by mandatory student fees assessed all students. If no part of the cost of the repair and rehabilitation project is paid by state appropriated funds or by mandatory student fees assessed all students, the review and approval requirements of this subdivision apply only if the project exceeds one million dollars (\$1,000,000).

(3) Each project to lease, other than a project to lease-purchase, a building or facility must be reviewed by the commission for higher education and approved by the governor, on recommendation of the budget agency, if the annual cost of the project exceeds ~~fifty one hundred~~ thousand dollars ~~(\$50,000).~~ **(\$100,000).**

(b) The review and approval requirements of subsection (a)(1) do not apply to a project to construct buildings or facilities or to purchase or lease-purchase land, buildings, or facilities if the project involves the expansion or improvement of housing for students undertaken entirely by a fraternity or sorority at the state educational institution.

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COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 138, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 138 as introduced.)

GARTON, Chairperson

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